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What the 1927 Legislature Did To the California Motor Laws

Editor's Note.—This is the third of a series of articles prepared for The Torrance Herald and The Lomita News by Ivan Kelso, chief counsel of the Automobile Club of Southern California, on new laws affecting motor car owners and drivers which become effective July 29.

Last week we referred to the suggested rule which would require all motorists to come to a full stop before passing over any railroad crossing at grade. Some of the railroad men professed to feel hurt that the motoring interest opposed this proposition. They urged it as a safety measure, saying it would save many lives, etc. At first blush this would seem true, but an analysis of the grade crossing accidents show that not many would be avoided by such a rule.

UNEXPECTED APPROACH
 Many grade crossings are reached without the motorist becoming aware of their existence in time to stop when necessary, and the rule would not prevent accidents caused in this way.

Many crossings are so constructed that a clear view up and down the tracks is not available until the tracks are reached. So the rule would not prevent this class of grade crossing accidents. An illustration of this is found in a recent tragedy where a motorist not only stopped, so I am told, but got out of his car and went ahead to look up and down the tracks. Seeing no train he walked back to his car and started ahead, all of which took a minute or more, and when he reached the tracks he was struck by a fast express traveling sixty or more miles an hour.

As to those motorists who now cross in the face of an adequate warning, the addition of such a rule would not affect them, they would totally ignore it.

Not only would such a rule prevent but small percentage of grade crossing accidents, but it would cause untold inconvenience and delay and expense to thousands of people. Consider the many crossings the state. Over some of them only two or three trains move daily, whereas thousands of motorists cross them. Why make all these people stop at such crossings all day long when there is danger only ten minutes or so in the whole twenty-four hours. The proposition is unjust. What is needed is adequate warning of the approach of trains, and at particularly bad crossings where vehicular traffic is heavy and train move-

ments light, it might be well to slow down or stop the trains. We are startled at this last suggestion, but the more we think of it, the more reasonable it becomes.

We now have the stop, look and listen rule in this state which makes it extremely difficult for a traveler to recover from a railroad company in the event of an accident, no matter how careless the railroad people might have been, and were we to add the compulsory stop rule for motorists, we would simply invite disaster, as some of the railroad and interurban employees would naturally take things for granted and plow through.

So, the proposed rule would be ineffective; it would needlessly inconvenience and delay thousands of travelers; it would be unfair, and it would increase rather than decrease the number of accidents.

The railroads are eager to find some fair means of ending grade crossing accidents. They were sincere in their proposal, but they merely guessed wrong. They are co-operating with the Los Angeles County Grade Crossing Committee in a complete study of the subject and hope soon to suggest a practical remedy.

Right of Way Width
 Several measures were adopted by the Legislature in furtherance of the plan to develop a state and county highways system. First is noted the measure of increasing the width of the right of way of state highways from forty feet to eighty feet. This does not mean pavement, or road surface, but right of way only. This was not only a very necessary but a very conservative measure. Soon we will need eighty feet of road surface on most of our state highways. But the change is in the right direction.

Next is noted the reorganization of the State Highway Commission, increasing the number of Commissioners from three to five, who will serve without salary, and act as an advisory board to the state highway engineer. The latter's salary has been increased and his powers have been broadened. California is very fortunate in having an exceedingly capable and high principled state highway engineer in charge of its stupendous highway maintenance and building job. In encouraging the use of convict labor on the state highways, as it did by two measures adopted, the Legislature not only showed good business sense, but revealed its desire to assist in the rehabilitation of certain offenders who may be saved for the future if properly handled. An appropriation was made to continue this work and certain improvements in administration were accomplished. The action of the Legislature on this subject is especially gratifying.

The Duval Bill, known as the 4 per cent tax measure on contract carriers, was repealed, to the relief of all concerned. While the measure was prompted by sincere and proper motives, it proved impracticable and sorely harassed the carriers and annoyed everyone connected with it. In its place are two measures, one, the Constitutional amendment adopted by the people in November, 1926, placing a gross receipts tax upon the common motor carriers of passengers or freight, and the other, the Wagly Bill, fixing a new schedule of fees for the commercial vehicle. The heavy truck will now have to pay in proportion to its carrying capacity. This seems to be the real solution to the heavy truck problem—a tax in proportion to weight making the tax on extremely heavy vehicles so great that it will not be profitable to operate them, if that is desired. This section does not become effective until January 1st next.

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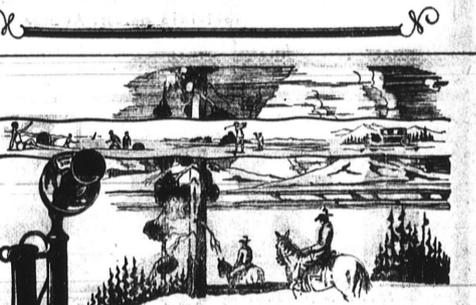
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